CHEE & MARKHAM

ATTORNEYS AT LAW

GREGORY K. MARKHAM (3453-0)KEITH K. KATO (5320-0)**DESIREE HIKIDA MOKUOHAI** (7793-0)

1000 American Savings Bank Tower

1001 Bishop Street

Honolulu, Hawaii 96813 Telephone: (808) 523-0111 Facsimile: (808) 523-0115

Email: dmokuohai@cheemarkham.com

Attorneys for Defendant/Limitation Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

of) The Complaint of MORNING STAR) CRUISES, INC., a Hawaii) corporation.) SHIROH FUKUOKA, CONSOLIDATED] Plaintiff, MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY VS. JUDGMENT; DECLARATION OF DESIREE HIKIDA MOKOUOHAI; MORNING STAR CRUISES, INC., CERTIFICATE OF SERVICE Defendant. Trial: August 22, 2006 Time: 9:00 a.m. Judge: Hon. Susan Oki Mollway	In the Matter) CV NO. 03-00672 SOM-BMK
The Complaint of MORNING STAR) CRUISES, INC., a Hawaii corporation. CV NO. 04-00588 SOM-BMK [CONSOLIDATED] Plaintiff, MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY VS. JUDGMENT; DECLARATION OF DESIREE HIKIDA MOKOUOHAI; MORNING STAR CRUISES, INC., Defendant. Trial: August 22, 2006 Time: 9:00 a.m.)
CRUISES, INC., a Hawaii corporation. CV NO. 04-00588 SOM-BMK SHIROH FUKUOKA, Plaintiff, MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY Vs. JUDGMENT; DECLARATION OF DESIREE HIKIDA MOKOUOHAI; CERTIFICATE OF SERVICE Defendant. Trial: August 22, 2006 Time: 9:00 a.m.	of)
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VS. JUDGMENT; DECLARATION OF DESIREE HIKIDA MOKOUOHAI; CERTIFICATE OF SERVICE Defendant. Trial: August 22, 2006 Time: 9:00 a.m.	Plaintiff,) MOTION FOR LEAVE TO FILE
Defendant. DESIREE HIKIDA MOKOUOHAI; CERTIFICATE OF SERVICE Trial: August 22, 2006 Time: 9:00 a.m.) MOTION FOR SUMMARY
MORNING STAR CRUISES, INC.,) CERTIFICATE OF SERVICE Defendant.) Trial: August 22, 2006 Time: 9:00 a.m.	vs.) JUDGMENT; DECLARATION OF
Defendant. Defendant.) Trial: August 22, 2006) Time: 9:00 a.m.) DESIREE HIKIDA MOKOUOHAI;
) Time: 9:00 a.m.	MORNING STAR CRUISES, INC.,) CERTIFICATE OF SERVICE
) Time: 9:00 a.m.)
,	Defendant.	•
) Judge: Hon. Susan Oki Mollway) Time: 9:00 a.m.
) Judge: Hon. Susan Oki Mollway

MOTION FOR LEAVE TO FILE MOTION FOR SUMMARY JUDGMENT

COMES NOW, DEFENDANT/LIMITATION PLAINTIFF

MORNING STAR CRUISES, INC., by and through its attorneys, the law firm of
Chee & Markham, and hereby moves this Honorable Court for an Order allowing
the filing of Limitation Plaintiff Morning Star Cruises, Inc.'s Motion for Summary
Judgment on its Complaint for Exoneration from or Limitation of Liability.

Defendant/Limitation Plaintiff Morning Star Cruises, Inc. further requests this Honorable Court to set the foregoing motion as a non-hearing motion.

This motion is brought pursuant to Rule 7 of the Federal Rules of Civil Procedure and Rule 7.2 of the Local Rules of Practice for the United States District Court for the District of Hawaii and is supported by the affidavit of Counsel, and the records and files herein.

Dated: Honolulu, Hawaii May 4, 2006.

/s/ Desiree Hikida Mokuohai GREGORY K. MARKHAM KEITH K. KATO DESIREE HIKIDA MOKUOHAI

Attorneys for Defendant/Limitation Plaintiff **MORNING STAR CRUISES, INC.**